

The Bellbird Primary School  
Policy for School Exclusion



September 2022

(To be reviewed September 2024)

## **Rationale**

The Bellbird Primary School takes seriously the responsibility to protect the welfare of the children in its care, believing that, “The welfare of the children in its care is paramount” Children Act 2004. This policy plays an integral part in this aim to safeguard our children and promote their wellbeing in order to ensure their optimum development. This policy, which is referred to in the Positive Behaviour Policy, deals with the policy and practice which informs the School’s use of exclusion.

It is underpinned by the shared commitment of all members of the School community to achieve two important aims:

- 1) to ensure the safety and well-being of all members of the School community, and to maintain an appropriate educational environment in which all can learn and succeed;
- 2) to reduce the need to use exclusion as a sanction.

## **Introduction**

The Headteacher, Governing Body and local authority must by law have regard to “Exclusions from Maintained Schools, Academies and Pupil Referral Units in England” – September 2017. The decision to exclude a student will be taken in the following circumstances: -

- (a) In response to a serious breach of the School’s Behaviour Policy;
- (b) If allowing the student to remain in School would seriously harm the education or welfare of the student or others in the School.

Exclusion is an extreme sanction and is only administered by the Headteacher (or, in the absence of the Head, the Deputy Head who is acting in that role). The responsibility of the Headteacher is clearly outlined in the DfE Guidance.

Headteachers must be able to demonstrate that any exclusion has been clearly thought through and is used as a last resort. A child will be excluded only for very serious incidents or when other strategies have been tried and failed over time.

Exclusion, whether fixed term or permanent, may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School’s Behaviour Policy:

- Verbal abuse to staff and others Verbal abuse to students
- Physical abuse to/attack on staff
- Physical abuse to/attack on students
- Sustained bullying
- Frequent high level disruption to lessons
- Frequent high levels of non-compliance
- Indecent behaviour Unacceptable behaviour which has previously been reported and for which School sanctions and other interventions have not been successful in modifying the student’s behaviour.

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

Risk Reduction Plans- sometimes called pastoral support plans RRP's and / PSP's or will be written with the help of the SENDCo, and used as a means to help support the pupil make an appropriate behaviour choice .

### **Exclusion procedure**

Most exclusions are of a fixed term nature and are of short duration (usually between one and five days).

The DfE Guidance (September 2017) allow the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year. The Governors have established arrangements to review promptly all permanent exclusions from the School and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination.

All exclusions cases will be treated in the strictest confidence. Only those who need to know details of an exclusion should be informed of them.

DfE and Cambridgeshire guidance and template letters will be used to explain the exclusions to parents, and kept in the child's file.

The Governors can review fixed term exclusions which would lead to a student being excluded for over five days but not over 15 days in a school term where a parent has expressed a wish to make representations.

Following exclusion parents are contacted immediately where possible. A letter will be sent by hand or post giving details of the exclusion and the date the exclusion ends.

Parents have a right to make representations to the Governing Body and the LA as directed in the letter.

A return to School meeting will be held following the expiry of the fixed term exclusion whatever its duration, and this will involve a member of the Senior Management Team or other staff where appropriate.

During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the School premises, and that daytime supervision is their responsibility, as parents/guardians.

### **Responsibilities of the governing body**

The Governing Body must ensure all procedures undertaken when considering exclusions must follow the 'Exclusions from Maintained Schools, Academies and Pupil Referral Units in England' (DfE Sept 2017).

The Governing Body must review certain exclusions and must consider any representations about an exclusion made by the parents of the excluded pupil. This responsibility is delegated to the Exclusions Committee.

In the case of a fixed-period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

### **Permanent Exclusion**

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeated possession and or use of an illegal drug on School premises.
2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence. These might include: Serious actual or threatened violence against another student or a member of staff. Sexual abuse or assault. Supplying an illegal drug. Carrying an offensive weapon \* Arson. The School will consider police involvement for any of the above offences.

\* Offensive weapons are defined in the Prevention of Crime Act 1953 as "any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him."

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the School.

### **General factors the School considers before making a decision to exclude**

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the School or the student concerned.

Before deciding whether to exclude a student either permanently or for a fixed period the Head will:

Ensure appropriate investigations have been carried out.

Use the HT checklist for exclusions.

- Liaise with the Director for Primary Education wherever possible.
- Consider all the evidence available to support the allegations taking into account the Positive Behaviour Policy and Equality Policy.
- Allow the pupil to give her/his version of events where they are able to do so.

- Check whether the incident may have been provoked for example by bullying or by racial or sexual harassment.

If the Head is satisfied that on the balance of probabilities the student did what he or she is alleged to have done, exclusion will be the outcome.

### **Exercise of discretion in reaching a decision**

The Head will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate. In considering whether permanent exclusion is the most appropriate sanction.

The Head will consider

- a) the gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the School's Behaviour Policy and
- b) the effect that the student remaining in the School would have on the education and welfare of other students and staff.

Nonetheless, in the case of a student found in possession of an offensive weapon, whether there is an intention to use it or not, it is the School's usual policy in this particularly serious matter to issue a permanent exclusion.

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Exclusions Committee, when it meets to consider the Headteacher's decision to exclude.

This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's School record, witness statements and the strategies used by the School to support the student prior to exclusion.

### **Alternatives to Exclusion**

The School will consider alternatives to permanent exclusion, and this includes introducing a reduced timetable, having worked out in agreement with a parent how that will be in place and having a reintegration timetable to work back to full time attendance.

The school works with the Local Authority and other primary schools to undertake managed moves where such a course of action would be of benefit both to the student and the two schools concerned.

However, the threat of a permanent exclusion will never be used as the means to coerce parents to move their child to another school.

## **Lunchtime Exclusion**

Students whose behaviour at lunchtime is disruptive may be excluded from the School premises for the duration of the lunchtime period. This will be treated as fixed term exclusion and parents will have the same right to gain information and to appeal.

## **After Exclusion**

The school has an obligation to ensure that any excluded child's education continues to be met during a fixed-period exclusion. (Parents are not responsible for making educational provision for their excluded child, but are expected to cooperate with schools in this regard.) Where a pupil is given a fixed-period exclusion of a duration of six days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion: this does not apply to pupils of non-compulsory school age.

Further information for parents can be found on this website:<http://www.cambridgeshire.gov.uk/education/parents/behaviour/exclusions/>

Details of Local Authority Contacts: Primary pupils at risk of exclusion SEND services exclusion hotline 2-4pm Tel 01353 612812  
Or SEND District Team: 01223 728311 County Inclusion Manager Carol Way 01480 376302